IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 1174/2004

SHUSHIL KUMAR SINGH Vs. STATE OF RAJASTHAN & ORS.

DATE: 14.09.2007

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. S.K. Gupta for the petitioner.
Mr. B.S. Chhaba, Dy. GA for the State

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This writ petition is directed against the order dated 04.02.2004 passed by the Additional District Judge, Gangapur City, whereby the Court below has rejected the application moved on behalf of the petitioner for adding the word 'Vaste' in the title of suit.

While rejecting the application of the petitioner, it was observed by the Court below that the petitioner-plaintiff wanted to change the nature of the suit by transpossessing the Society as plaintiff, whereas the present suit has been filed by the plaintiff-petitioner in personal capacity. It is also observed that no material to this effect has been produced before the Civil Court to show that the petitioner has been authorised to file the suit on behalf of the Society.

In such circumstances, I find no illegality in the order impugned dated 04.02.2004 rejecting the application of the petitioner for making correction in the title of the suit. No interference whatsoever is required by this Court.

Consequently, the writ petition fails and the same is accordingly dismissed.

The interim order dated 20.05.2004 granted by this Court stands rejected. The stay application also stands rejected.

(K.S. RATHORE),J.

/KKC/